

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAULINE HORVATH,

Plaintiff,

v.

DR. DONALD C. WINTER,

Defendant.

No. C 07-04952 JSW

**ORDER DISCHARGING ORDER
TO SHOW CAUSE, SETTING
BRIEFING SCHEDULE AND
SETTING HEARING DATE**

The Court has received and considered Plaintiff Pauline Horvath's reply to this Court's Order to Show Cause issued on January 29, 2008. The Court shall discharge the Order to Show Cause without further action, but admonishes Plaintiff that if, in the future, circumstances arise that impact her ability to comply with Court imposed deadlines, she should submit a request to modify those deadlines and set forth good cause for doing so.

It is FURTHER ORDERED that Plaintiff's opposition to Defendant's motion to dismiss is accepted for filing. Defendant's reply brief shall be due on March 7, 2008, and the Court requests that the Defendant set forth his position on whether, in the event the Court denies his motion (and the Court is expressing no opinion at this time on the merits of the motion), he would be amenable to a recommendation that, based on "the convenience of the parties and witnesses" upon serving the interests of justice," this case be reassigned to the Oakland division. *See* N.D. Civ. L.R. 3-2(f).

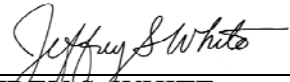
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1 It is FURTHER ORDERED that the parties shall appear for a hearing on this matter on
2 **Friday, March 28, 2008 at 2:00 p.m.**

3 **IT IS SO ORDERED.**

4
5 Dated: February 15, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

PAULINE HORVATH,
Plaintiff,

Case Number: CV07-04952 JSW

CERTIFICATE OF SERVICE

v.

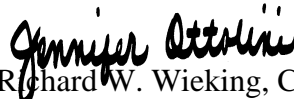
DR. DONALD C. WINTER et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 15, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Pauline Horvath
3544 Custer Street
3
Oakland, CA 94601

Dated: February 15, 2008


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk